

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION TWO

FRED HUDSON,) No. ED102907
)
Movant/Appellant,) Appeal from the Circuit Court of
) St. Louis County
vs.)
) Honorable Steven H. Goldman
STATE OF MISSOURI,)
) Filed: March 15, 2016
Respondent.)

Opinion Summary

Fred Hudson (Movant) appeals the judgment of the Circuit Court of St. Louis County denying his Rule 29.15 motion for post-conviction relief without an evidentiary hearing. In two points on appeal, Movant alleges that the motion court clearly erred by denying his motion without an evidentiary hearing because (1) trial counsel was ineffective, and (2) appellate counsel was ineffective. Specifically, in Point I, Movant argues that trial counsel was ineffective for failing to elicit evidence (a) of a similar shooting at a neighboring house and (b) that another person was implicated in the shooting. In Point II, Movant argues that appellate counsel was ineffective for failing to raise, on appeal, preserved error in the trial court's refusal to quash the venire panel after a juror had an "emotional outburst" during the beginning of voir dire.

AFFIRMED.

Division II Holds: Movant failed to meet his burden of pleading unrefuted facts that would entitle him to post-conviction relief. Accordingly, the motion court did not err by denying Movant's Rule 29.15 motion for post-conviction relief without an evidentiary hearing.

Opinion by: Philip M. Hess, P.J.
Gary M. Gaertner, Jr., J. and Angela T. Quigless, J. concur.

Attorney for Appellant: Andrew E. Zleit

Attorney for Respondents: Gregory L. Barnes

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.
--